



*Child Development
and Early Education*
HEALTH AND HUMAN SERVICES

Pat McCrory
Governor

Richard O. Brajer
Secretary

Pamela L. Shue
Director

July 26, 2016

MEMO

TO: Interested Parties

FROM: Dedra Alston
Rulemaking Coordinator

SUBJECT: Proposed Temporary Rulemaking by the Child Care Commission

The NC Child Care Commission proposes temporary rules in accordance to the Child Care and Development Block Grant (CCDBG) Act of 2014. These requirements are needed in order to maintain federal funding for families with children in child care.

The CCDBG Act of 2014 (P.L. 113-186) was signed into law on November 19, 2014. This program had not been renewed since 1996, therefore many changes have been made to the law to improve the health, safety, and quality of child care for children receiving care in family child care homes and centers. The Child Care and Development Fund (CCDF) is authorized by the CCDBG and provides federal funding for low-income families with children in child care who are working or continuing their education and training. These funds help families pay for child care services.

The CCDBG requires states to establish educational, health, and safety standards in 10 specific areas for child care providers that receive this funding, as well as requirements for all providers in operation in a state receiving this funding. These areas are: prevention and control of infectious diseases (including immunizations); prevention of sudden infant death syndrome and use of safe sleeping practices; administration of medication; prevention of and response to emergencies due to food and allergic reactions; building and physical premises safety (including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic); prevention of shaken baby syndrome and abusive head trauma; emergency preparedness and response planning for emergencies; the handling and storage of hazardous materials; for providers that offer transportation, if applicable, appropriate precautions in transporting children; first aid and cardiopulmonary resuscitation (CPR).



Department of Health and Human Services | Division of Child Development and Early Education
820 South Boylan Avenue, Raleigh, NC 27603 (Physical Address) | 2201 Mail Service Center, Raleigh, NC 27699-2200 (Mailing Address)
919 527 6335 T | 1 800 859 0829 (Toll Free – In State Only)

States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The law does not specify a required number of training or education hours, but the State must report their minimum number of annual training hours required for CCDF providers in their Plan. The law gives states discretion to determine the specific number of pre-service and ongoing training hours child care providers must complete. States are strongly encouraged to look at all training—including on-going annual training—as a meaningful opportunity to help child care staff progress professionally and pursue credentials and higher education.

North Carolina already has some health and safety requirements in place related to the ten training topic areas outlined in CCDF; however there are several topic areas that are not currently addressed in the child care requirements and require rulemaking. The temporary rules address these areas with respect to initial health and safety requirements, and also include policies and procedures required in order to comply with the new federal law.

The federal register may be found at <https://www.federalregister.gov/articles/2015/12/24/2015-31883/child-care-and-development-fund-ccdf-program#h-4>.

A **public hearing** will be held on **August 9, 2016, from 1:00 p.m. - 2:00 p.m.**, at the Division of Child Development and Early Education, 820 South Boylan Avenue, Raleigh, NC in Conference Room 130. A copy of the proposed rules will be posted on the Office of Administrative Hearing's website at <http://www.oah.state.nc.us/rules/> and will also be available on the Division's website at <http://ncchildcare.dhhs.state.nc.us/general/whatsnew.asp> under the "What's New" tab.

The Child Care Commission encourages and welcomes feedback from you. This is an opportunity for the public to provide input on the proposed temporary rules. Comments may be submitted in writing or via electronic mail from **August 2 through August 25, 2016**, to Dedra Alston, Rulemaking Coordinator, NC Division of Child Development and Early Education, 2201 Mail Service Center, Raleigh, NC 27699-2200 or Dedra.Alston@dhhs.nc.gov. Please feel free to visit the Division of Child Development and Early Education's website at <http://ncchildcare.dhhs.state.nc.us/general/home.asp> as a source of information about child care and for any updates.

/DA

Attachment